GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Ananthapuramu District - Disciplinary action initiated against Sri N.M.Basha, the then MRI, Ananthapuramu on his involvement in irregular assignment - AoCs issued - WSD submitted - Inquiry Officer appointed - report submitted - imposing a penalty of "withholding of 5% monthly pension for three (3) years" - Orders - Issued.

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REVENUE (VIGILANCE.III) DEPARTMENT

G.O.Rt.No.39 Dated:05.01.2023.

Read the following:

1. Procdgs in Rc.A1/3441/2019, Dt:06.12.2019 of the Collector & District Magistrate, Ananthapuramu.
2. Procdgs in Rc.A1/3441/2019, Dt:28.06.2020 of the Collector & District Magistrate, Ananthapuramu.
3. Report of the E.O/CEO, ANSET, Ananthapuramu, dt:28.10.2020.
4. From the CCLA, Ref.No.VS I93)/239/2021, DT:12.08.2021.
5. Memo.No.LANA0CCLV (DISC)/71/2021-Vig.III(2)-1, Dated: 21-10-2021.
6. Explanation dt;25.10.2021 of Sri N.M.Basha, the then MRI, Ananthapuramu, (Retd)
7. Memo.No.LANA0CCLV(DISC)/71/2021-Vig.III(2)-2, Dt:11.04.2022
8. Explanation dt:12.04.2022 of Sri N.M.Basha, Dy.Tahsildar (Retd), RDO Office, Ananthapuramu.
9. Letter.No.LANA0CCLV(DISC)/71/2021-Vig.III(2)-3, Dt:04.05.2022.
10. From the Secretary, APPSR, Lr.No.GAD03- APPSC0DCC/1/2022-DC SEC-APPSC, Comp.No.1741168, Dt:10.07.2022

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ORDER:

Whereas, in the reference 1st read above, the Collector, Ananthapuramu has initiated disciplinary proceedings issuing the following article of charges against Sri N.M.Basha, CSDT working in RDO's Office, Ananthapuramu for involvement in irregular assignments in respect of the lands in Sy.No's:83/2 etc., of Kurugunta Village of Ananthapuramu Mandal.

Article of Charge No. 1

That Sri N.M.Basha, CSDT (CPDT) working in RDO's Office, Ananthapuramu, while he was working as MRI, Ananthapuramu, he has recommended for assignment of land in Sy.No.83-2 extent 1.50 Ac of Kurugunta Village, Ananthapuramu Mandal in favour of Dudekula Siddaiah S/o Pakkeerappa, and assigned in DARDis.No.25/1417, dt.15-01-2008, without observing its change of classification and absence of field sketch for the proposed land for assignment.

Article of Charge No. 2

That Sri N.M.Basha, CSDT (CPDT) working in RDO's Office, Ananthapuramu, while he was working as MRI, Ananthapuramu, he has recommended assignment file for assignment of land in Sy.No.83-2 extent 2.87 Ac and Sy.No.83-2A of Kurugunta Village, Ananthapuramu Mandal in favour of Bala Yerriswamy S/o S.Naganna, and assigned in DARDis.No.19/1417, dt.15-01-2008, without observing its change of classification, sub division letters and absence of field sketch for the proposed land for assignment. He again proposed Sy.No.83-2 without verifying sub-division letter of the proposed land and previous assignment file which was also recommended by him for the same Sy.No.83-2 and 83-2A.

(P.T.O)

Article of Charge No. 3

That Sri N.M.Basha, CSDT (CPDT) working in RDO's Office, Ananthapuramu, while he was working as MRI, Ananthapuramu, he has recommended for assignment of land in Sy.No.83-4 extent 1.50 Ac of Kurugunta Village, Ananthapuramu Mandal in favour of T.Khasim S/o Pakkeerappa, and assigned in DARDis.No.26/1417, dt.15-01-2008, without observing its change of classification since it is classified as Vanka poramboke, sub division letter, absence of field sketch and its change of classification for the proposed land for assignment.

Article of Charge No. 4

That Sri N.M.Basha, CSDT (CPDT) working in RDO's Office, Ananthapuramu, while he was working as MRI, Ananthapuramu, he has recommended for assignment of land in Sy.No.83-3 extent 4.50 Ac of Kurugunta Village, Ananthapuramu Mandal, in favour of Sri K.Venkatesulu S/o K.Anjaneyulu, and assigned in DARDis.No.30/1417, dt.15-01-2008, without observing its change of classification since it is classified as UAW and absence of field sketch for the proposed land for assignment.

2. And whereas, the Charged Officer has submitted the explanation dt:19.12.2019 denying the charges. As the explanation of the Charged Officer is not convincing, in the reference 2nd read above, the Collector, Ananthapuramu has appointed the Chief Executive Officer, ANSET, Ananthapuramu as Inquiry Officer. In the reference 3rd read above, the Inquiry Officer has submitted his findings stated that the Charges-I & II are partly proved and Charge-III & IV are proved.

3. As the charged officer Sri N.M.Basha, CSDT, Peddapappur working in RDO's Office, Ananthapuramu, was retired from service on 30-6-2020 after attaining the age of superannuation pending disciplinary proceedings, the Chief Commissioner of Land Administration, A.P., in the reference 4th read above, has submitted the proposals to the Government for taking necessary action as per Rule-9 of A.P.Revised Pension Rules, 1980.

4. After careful examination of the matter, Government have accepted the findings of the Inquiry Officer. Accordingly, in the reference 5th read above a copy of the enquiry report has been communicated to Sri N.M.Basha, the then MRI, Ananthapuramu (Retd) under Rule 21(2) of APCS (CC&A) Rules 1991 r/w Rule 9 of the APRP Rules, 1980. In response, the Charged Officer Sri N.M.Basha, the then MRI, Ananthapuramu, (Retd) has submitted his explanation reiterating his earlier contentions and requested to drop charges against him. After examining the further explanation of the charged officer, Government have provisionally decided to impose a penalty of "withholding of 5% monthly pension for three (3) years" against Sri N.M.Basha, the then MRI, Ananthapuramu (Retd), under Rule 9 of A.P.C.S (CC&A), Rules, 1991. Accordingly, in the reference 7th read above, a show cause notice has been issued as to why the proposed penalty should not be imposed against Sri N.M.Basha. In the reference 8th read above, he has submitted explanation with a request to exonerate him from the charges.

5. After examining the explanation of the charged officer, necessary proposals to impose a penalty of "withholding of 5% monthly pension for three (3) years" against Sri N.M.Basha, the then MRI, Ananthapuramu (Retd) has been sent to Secretary, APPSC with a request to furnish their concurrence to Government for taking further action in the matter. In the reference 10th read above, the Secretary, APPSC has informed that after careful examination of the proposal in the light of records made available, Commission proposed to enhance the punishment to "5% cut in monthly pension permanently" and advised accordingly.

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6. Government, after careful examination of the matter and obtaining the orders from the competent authority under A.P.Secretariat Business Rules, have decided and hereby order to impose a penalty of "withholding of 5% monthly pension for three (3) years" against Sri N.M.Basha, the then MRI, Ananthapuramu (Retd) under Rule 9 of A.P.C.S (CC&A), Rules, 1991.

7. The Chief Commissioner of Land Administration, A.P., Mangalagiri/ the District Collector, Ananthapuramu shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To
Sri N.M.Basha, the then MRI, Ananthapuramu (Retd) through the District Collector, Ananthapuramu.
The Collector & District Magistrate, Ananthapuramu.
The Chief Commissioner of Land Administration, A.P, Mangalagiri.

Copy to:-
The Secretary, A.P.Public Service Commission, Vijayawada.
Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER